

GARY A. BORNSTEIN (*pro hac vice*)  
gbornstein@cravath.com  
YONATAN EVEN (*pro hac vice*)  
yeven@cravath.com  
LAUREN A. MOSKOWITZ (*pro hac vice*)  
lmoskowitz@cravath.com  
JUSTIN C. CLARKE (*pro hac vice*)  
jcclarke@cravath.com  
MICHAEL J. ZAKEN (*pro hac vice*)  
mzaken@cravath.com  
M. BRENT BYARS (*pro hac vice*)  
mbyars@cravath.com  
**CRAVATH, SWAINE & MOORE LLP**  
375 Ninth Avenue  
New York, New York 10001  
Telephone: (212) 474-1000  
Facsimile: (212) 474-3700

PAUL J. RIEHLE (SBN 115199)  
paul.riehle@faegredrinker.com  
**FAEGRE DRINKER BIDDLE & REATH LLP**  
Four Embarcadero Center  
San Francisco, California 94111  
Telephone: (415) 591-7500  
Facsimile: (415) 591-7510

*Attorneys for Plaintiff and Counter-defendant  
Epic Games, Inc.*

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**OAKLAND DIVISION**

EPIC GAMES, INC.,  
  
Plaintiff, Counter-defendant,  
  
v.  
  
APPLE INC.,  
  
Defendant, Counterclaimant.

Case No. 4:20-CV-05640-YGR-TSH

**PLAINTIFF'S ADMINISTRATIVE  
MOTION TO CONSIDER WHETHER  
ANOTHER PARTY'S MATERIAL  
SHOULD BE SEALED PURSUANT TO  
CIVIL LOCAL RULE 79-5**

Judge: Hon. Yvonne Gonzalez Rogers

PLAINTIFF'S ADMINISTRATIVE MOTION TO  
CONSIDER WHETHER ANOTHER PARTY'S  
MATERIAL SHOULD BE SEALED

CASE No. 4:20-CV-05640-YGR-TSH

Pursuant to Civil Local Rules 7-11 and 79-5(f), Plaintiff Epic Games, Inc. (“Epic”) submits this administrative motion to consider whether another party’s material should be sealed with respect to its Post-Hearing Findings of Fact, the Declaration of M. Brent Byars (“Byars Declaration”) and Exhibit A, all dated March 7, 2025. The documents and portions of documents Epic seeks to temporarily file under seal are listed below:

Document	Corresponding Portion of Document
Exhibit A to the Byars Declaration	Redacted portions as reflected in the highlighted text

Epic seeks leave to provisionally file the documents under seal because they discuss materials that Apple has designated confidential under the protective order in this case. *See* Local Rule 79-5(f). Epic reserves the right to oppose, under Rule 79-5(f)(4), any submission Apple makes to support sealing under Rule 79-5(f)(3). Epic also hereby provides notice of lodging to all parties and their counsel pursuant to Civil Local Rule 79-5(f).

1 Dated: March 7, 2025

Respectfully submitted,

2 By: /s/ Gary A. Bornstein

3 **FAEGRE DRINKER BIDDLE & REATH**  
4 **LLP**

5 Paul J. Riehle (SBN 115199)  
6 paul.riehle@faegredrinker.com

7 Four Embarcadero Center  
8 San Francisco, California 94111  
9 Telephone: (415) 591-7500  
Facsimile: (415) 591-7510

10 **CRAVATH, SWAINE & MOORE LLP**

11 Gary A. Bornstein (*pro hac vice*)  
12 gbornstein@cravath.com  
Yonatan Even (*pro hac vice*)  
13 yeven@cravath.com  
Lauren A. Moskowitz (*pro hac vice*)  
14 lmoskowitz@cravath.com  
Justin C. Clarke (*pro hac vice*)  
15 jcclarke@cravath.com  
Michael J. Zaken (*pro hac vice*)  
16 mzaken@cravath.com  
M. Brent Byars (*pro hac vice*)  
17 mbyars@cravath.com

18 375 Ninth Avenue  
19 New York, New York 10001  
Telephone: (212) 474-1000  
20 Facsimile: (212) 474-3700

21 *Attorneys for Plaintiff and Counter-defendant*  
22 *Epic Games, Inc.*